REMARKS

As a preliminary matter, Applicants appreciate the Examiner's allowance of claims 5-9.

Claims 1-4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al. (U.S. Patent No. 5,815,342) in view of Fukuichi (JP 02-227,814 A). Applicants respectfully traverse the rejection because there is no motivation to combine the references.

As submitted in Amendment A, Fukuichi uses a ferrimagnetic layer to assist with the vertical magnetization of the recording magnetic layer during deposition of the vertical magnetic recording layer. More specifically, Fukuichi describes on page 2, lower left column the following with respect to the vertical magnetic recording medium.

In the vertical magnetic recording medium, the vertical magnetic anisotropy of the vertical magnetic recording layer is improved by the magnetization of the ferrimagnetic layer. As a result, high density magnetization becomes possible. Because the ferrimagnetic layer has a compensation temperature in a temperature range of magnetic recording and reproduction, the magnetization of the ferrimagnetic layer is extremely small in ordinary usage. Further, because the ferrimagnetic layer has an extremely large coercive force, it is not possible to write thereto. Therefore, no adverse effect is caused in recording/reproduction characteristics.

Thus, the ferrimagnetic layer is magnetized vertically to the base by applying a magnetic field at the time of deposition of the vertical magnetic recording layer, and the

deposited CoCr particles have an easy axis of magnetization aligned in the direction perpendicular to the base by the magnetization of the ferrimagnetic layer.

The foregoing two paragraphs of Fukuichi clearly describe that the ferrimagnetic layer has a magnetization in a direction perpendicular to the substrate surface. Accordingly, the ferrimagnetic layer of Fukuichi has an easy axis of magnetization directed perpendicularly to the substrate.

In contrast, the ferrimagnetic backing layer of the present invention has its magnetization aligned in an in-plane direction. (See Applicants' Specification pg. 8, lns. 7-8). Furthermore, the ferrimagnetic backing layer has an easy axis of magnetization that is also in the in-plane direction.

Thus, there is no motivation for one skilled in the art to use a ferrimagnetic layer of Fukuichi, which has a magnetization perpendicular to the plane of the recording medium, with a vertical magnetic recording medium such as that disclosed by Akiyama or used in the present invention. For this reason, withdrawal of the §103 rejection of claims 1-4 is respectfully requested.

New claim 10 is added in further defiance the ferrimagnetic backing layer as having an easy axis in an in-plane direction. Applicants respectfully request allowance of new claim 10 for the features it recites, and also because of the reason provided above with respect to the rejection of independent claim 1.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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